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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

OPEN TEXT S.A.,

Plaintiff,

v.

ALFRESCO SOFTWARE LTD.,
 ALFRESCO SOFTWARE, INC. AND
 CARAHSOFT TECHNOLOGY
 CORPORATION,

Defendants.

Civil Action No. 13-CV-04843 JD

STATEMENT OF RECENT DECISION

Hon. Judge James Donato



Pursuant to Local Rule 7-3(d)(2), Defendants Alfresco Software Ltd., Alfresco Software, Inc., and Carahsoft Technology Corp. (collectively “Defendants”), by counsel, provide notice of recent authority relevant to the Defendants’ pending Motion to Dismiss Plaintiff’s First and Second Causes of Action for Failure to State a Claim (Dkt. No. 35) (“Motion to Dismiss”).

On September 4, 2014, after briefing of the Defendants’ pending Motion to Dismiss, the United States District Court for the Central District of California issued an opinion in the case of *Eclipse IP LLC v. McKinley Equipment Corporation*, No. SACV 14-742-GW(AJWx) (C.D. Cal. Sept. 4, 2014) (a copy of which is attached as **Exhibit 1**). The *Eclipse* opinion addresses 35 U.S.C. § 101—a subject addressed in connection with Defendant’s Motion to Dismiss (*see* Dkt. Nos. 35, 36, 43, 57)—and grants defendant’s motion to dismiss for failure to state a claim under Rule 12(b)(6) of the Federal Rules of Civil Procedure, holding the asserted claims invalid under § 101.

Dated: September 10, 2014

Respectfully submitted,

KILPATRICK TOWNSEND & STOCKTON

By: /s/ Byron R. Chin

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